



Sunnyvale

Date: July 20, 2021

Therese McMillan, Executive Director
MTC and ABAG
Attn: Draft EIR Comments
375 Beale Street, Suite 800
San Francisco, CA 94105
eircomments@bayareametro.gov

Corporation Yard
221 Commercial Street
Sunnyvale, CA 94088-3707
TDD/TYY 408-730-7501
sunnyvale.ca.gov

Re: Comment Letter – Draft EIR for Plan Bay Area 2050 (SCH#2020090519)

Dear Ms. McMillan,

The City of Sunnyvale (Sunnyvale) submits the following comments to the Metropolitan Transportation Commission / Association of Bay Area Governments (MTC / ABAG) regarding the Draft Environmental Impact Report (Draft EIR) (SCH# 2020090519) for Plan Bay Area 2050 (proposed Plan), a long-range plan for the San Francisco Bay Area.

City of Sunnyvale Comments

Sunnyvale acknowledges that the proposed Plan's goal is to make the Bay Area more affordable, connected, diverse, healthy, and vibrant for all residents, while also achieving regional greenhouse gas emissions reduction targets established by the California Air Resources Board. However, the approach taken neglects to adequately consider the impacts of the proposed Plan on the region's, including Sunnyvale's, water supply reliability and ability to accommodate projected increased population and housing water supply needs. Sunnyvale currently serves water to a population of approximately 154,000 and over 4,000 businesses and other non-residential customers.

Specifically, the Draft EIR should:

- **Account for Phase 1 of the State Water Resources Control Board's (State Board) San Francisco Bay/Sacramento-San Joaquin Delta Estuary Water Quality Control Plan Bay-Delta Plan (Bay-Delta Plan), which is an adopted regulation as of December 12, 2018,¹ that will directly impact Sunnyvale's water supply during droughts.** The Bay-Delta Plan requires the release of 30-50% of the "unimpaired flow" on the three tributaries to the San Joaquin

¹ https://www.waterboards.ca.gov/plans_policies/docs/2018wqcp.pdf

River from February through June, which will significantly impact water supply availability from the Tuolumne River and the San Francisco Regional Water System (RWS), where Sunnyvale receives over 50% of its potable water supply. The Draft EIR fails to account for the adopted Bay-Delta Plan, the resulting impacts, and adequacy of existing water supplies to accommodate planned growth and to meet Sunnyvale's customer needs during single and multiple dry years. As indicated on page 8-6 of the San Francisco Public Utility Commission's (SFPUC) 2020 Urban Water Management Plan (UWMP), analysis by the SFPUC, which operates the RWS, indicates that during single dry years, there would be system-wide shortages between 30% and 40%, and during multiple dry years, there would be shortages ranging from 30% to 49%.²

- **Account for the requirements of re-licensing of the Don Pedro Reservoir on the Tuolumne River by the Federal Energy Regulatory Commission (FERC) (FERC Project Nos. 2299 and 14581) and associated Clean Water Act section 401 Water Quality Certification (WQC).** The re-licensing of the Don Pedro Reservoir by FERC may require additional water to be released from the reservoir for the preservation of aquatic species in the lower Tuolumne River, potentially affecting the dry year water supply yield of the RWS by reducing the balance of water stored in the water bank at Don Pedro Reservoir. The Final Environmental Impact Statement for the Don Pedro project was released by FERC on July 7, 2020 (FERC/EIS-0293F, July 2020).³ On January 15, 2021, the State Board released the WQC for the Don Pedro project, which includes the 40% unimpaired flow objective from the Bay-Delta Plan amendment, as well as additional conditions that, if incorporated into FERC licenses would impact RWS water supplies.⁴ These related FERC regulatory requirements will reduce water supply availability during drought periods from the RWS, Sunnyvale's single source of potable water supply. The Draft EIR fails to account for these impacts and the adequacy (or not) of existing water supplies to accommodate planned growth and to meet Sunnyvale's customer needs during single and multiple dry years.
- **Evaluate, as part of the impact analysis, how Sunnyvale, as well as other BAWSCA member agencies, will respond to the water supply shortages** resulting from implementation of the Bay-Delta Plan, the Don Pedro FERC re-licensing, the WQC (e.g., increased groundwater pumping, increased use of

² SFPUC Adopted 2020 UWMP: https://www.sfpuc.org/sites/default/files/programs/local-water/SFPUC_2020_UWMP_2020_%20FINAL.pdf

³ <https://elibrary.ferc.gov/eLibrary/idmws/common/OpenNat.asp?fileID=15576184>

⁴ https://www.waterboards.ca.gov/docs/dplg_fwqc_complete_20210105.pdf

local surface water, tree deaths, displaced growth to areas with available water, etc.) and subsequent environmental impacts.

- **Reconsider the effectiveness of mitigation measures PUF-1 and PUF-2 to account for the water supply impacts resulting from the regulatory requirements of the Bay-Delta Plan, the Don Pedro FERC re-licensing, and the WQC.** The State Board intends to implement the Bay-Delta Plan in 2022. However, it is estimated that new (alternative) water supplies may take as long as 20 plus years to be in place, which will not be in time to address the water supply impacts resulting from the Bay-Delta Plan, the Don Pedro FERC re-licensing, and the WQC.
- **Be updated to include the current information detailed in Sunnyvale's 2020 UWMP in the proposed Plan's water supply analysis.** The Draft EIR uses outdated information from Sunnyvale's 2015 UWMP. Sunnyvale's adopted 2020 UWMP can be found at <https://sunnyvale.ca.gov/property/water/water.htm>

As detailed in Sunnyvale's 2020 UWMP, note the following:

- As a wholesale customer of the SFPUC that purchases a little over 50% of its potable water supply from the RWS, water supply available to Sunnyvale under the adopted Bay-Delta Plan could be reduced by nearly 50% in the event of a multi-year drought.
- This significant cut to water supply would force Sunnyvale to take a number of significant actions. In addition to education and outreach and demand management incentives, Sunnyvale will impose and enforce severe water use restrictions and likely implement water allocations.

Sunnyvale is home to internationally known corporations that will likely be impacted resulting in substantial economic losses. Sunnyvale requests that these aforementioned impacts and inadequacies of the Draft EIR are addressed before any further consideration of EIR certification or Plan adoption.

July 16, 2021
Sunnyvale Comments to Draft EIR for Plan Bay Area 2050
MTC and ABAG
Attn: Ms. Therese McMillan
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Sincerely,

Ramana Chinnakotla

Ramana Chinnakotla
Director, Environmental Services

Cc: Nicole Sandkulla, Chief Executive Officer and General Manager, BAWSCA